

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Art Unit 2135

Rhoads et al.

Conf. No. 8157

Application No.: 09/476,686

Filed: December 30, 1999

Via Electronic Filing

For: PERSONAL AUDIO APPLIANCE

Examiner: Song, Hosuk

Date: June 19, 2008

Petition to Withdraw From Issue Under 37 CFR 1.313(c)(2)**Mail Stop 313(c)**

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicants respectfully petition to have the above-identified application withdrawn from issue under 37 CFR 1.313(c)(2).

A Request for Continued Examination (RCE), Information Disclosure Statement (IDS) and Form-1449 are filed concurrently herewith.

The reason for our Petition is have additional art considered by the Examiner and listed on the issuing patent. The additional art is set forth on the accompanying Form-1449.

(On May 30, 2008 we filed a Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR 1.137(b). The Petition for Revival was filed to address a drawing request that we unfortunately – and unintentionally – did not timely respond to.)

The undersigned can be reached at 503-469-4685 if there are any questions associated with these Petitions.

The Office is authorized to charge any fees needed to consider this Petition including a petition fee under 37 CFR 1.17 and RCE fee to our Deposit Account No. 50-1071.

Once the above Petitions are entered and the IDS is forwarded to the Examiner for consideration, we respectfully request another Notice of Allowance. In the meantime, the Examiner is invited to telephone the undersigned at 503-469-4685 if any questions arise.

Date: June 19, 2008

Respectfully submitted,

Customer No. 23735

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